

Application No. 10/083,568

Docket No.: A8130.0078/P078

**REMARKS**

Claims 6-9, 11, 17 and 20 are pending in the present application. Claims 6, 9 and 11 have been amended.

Device claims 1-5, 15-16 and 18-19 have been canceled, and the limitations of canceled claims 10 and 12-14 have been incorporated into the independent claims from which these claims depend. No new issues have been raised. Accordingly, the present amendment should be entered.

Claims 6, 8 and 11-14 have been rejected as anticipated by Green et al., U.S. Patent No. 5,643,319. This rejection is respectfully traversed.

Green et al. does not disclose the step of "loading a suture strand through a flexible eyelet extending from a proximal end of an insert molded ribbed, non-threaded suture anchor, the flexible eyelet comprising a loop of suture, a portion of which has been insert molded into the suture anchor" as recited in amended independent claim 6. Green et al. also does not disclose a driver with "a slot formed in a wall of the enclosed cannulated shaft at the distal end of the shaft, the slot opening into the shaft cannula and being continuous with the recess formed in the distal end of the shaft," as recited in independent claim 8. Green et al. also does not disclose a driver with "a distally open-ended slot formed as a narrow, elongate opening formed axially through a wall of the shaft adjacent the recess and opening into the shaft cannula, the slot being continuous with the recess formed in the distal end of the shaft, the slot having a closed end located along the shaft proximal to the recess" as recited in amended independent claim 11. The rejection over Green et al. should be withdrawn.

Claims 8, 11, 12 and 14 have been rejected as anticipated by Anspach, U.S. Patent No. 5,102,421. This rejection is respectfully traversed.

DSMDB.2037930.1

Application No. 10/083,568

Docket No.: A8130.0078/P078

Anspach does not disclose a driver with "a slot formed in a wall of the enclosed cannulated shaft at the distal end of the shaft, the slot opening into the shaft cannula and being continuous with the recess formed in the distal end of the shaft," as recited in independent claim 8. Anspach also does not disclose a driver with "a distally open-ended slot formed as a narrow, elongate opening formed axially through a wall of the shaft adjacent the recess and opening into the shaft cannula, the slot being continuous with the recess formed in the distal end of the shaft, the slot having a closed end located along the shaft proximal to the recess" as recited in amended independent claim 11. The rejection over Anspach should be withdrawn.

Claims 1-5, 9, 10 and 15-20 have been rejected as obvious over Anspach in view of Grafton et al., U.S. Patent No. 5,964,783. This rejection is respectfully traversed.

Claims 1-5, 10, 15-16 and 18-19 have been canceled. Anspach does not disclose "a hand driver having a cannulated shaft with an open recess on an end of the shaft, a slot formed in a wall of the shaft, the slot being continuous with the recess formed in the distal end of the shaft," as recited in independent claim 9. Grafton et al. does not rectify the deficiencies of Anspach in this regard. Likewise, neither reference discloses a suture anchor with a tapered drive head as recited in dependent claim 17. Neither reference contains any suggestion to modify the collective teachings of the references to provide these missing features. The rejection over Anspach in view of Grafton et al. should be withdrawn.

For the reasons set forth above, applicant respectfully submits that the present invention as set forth in the amended claims is distinguishable over the cited references. Entry of this Amendment and a prompt passage to issuance is earnestly solicited.

DSMDB.2037930.1

7

Application No. 10/083,568

Docket No.: A8130.0078/P078

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DSMDB.2037930.1

8